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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,947	11/13/2003	Forrest Lee Wilson	SJO920030075US1	9548

EXAMINER
PHAM, HUNG Q

ART UNIT	PAPER NUMBER
2168	

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06/22/2007	PAPER

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Brian C Kunzler
8 East Broadway Suite 600
Salt Lake City, UT 84111

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary	Application No.	Applicant(s)	
	10/712,947	WILSON ET AL.	
	Examiner	Art Unit	
	HUNG Q. PHAM	2168	

All participants (applicant, applicant's representative, PTO personnel):

(1) HUNG Q. PHAM. (3) _____

(2) SCOTT THORPE. (4) _____

Date of Interview: 31 May 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.
If Yes, brief description: _____

Claim(s) discussed: 1.

Identification of prior art discussed: USP 7,093,088; 6,804,690 and Naik reference.


Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The proposed amendment of Claim 1 was faxed to the examiner. In view of the proposal, the claimed language, e.g., "adapted to", "substantially", has been discussed and will be amended. The proposed amendment appears to overcome the prior arts of record. However, the examiner still reserves the right to update the search and review the amendment with respect to 35 U.S.C. § 112, first and second paragraph.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.



Examiner's signature, if required

Telephone Interview Agenda
Thursday, May 31, 11:00 am EDT

Application 10/712,947
Scott Thorpe
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Proposed Amendment

1. (Currently amended) A computer system comprising a server adapted to interface with a plurality of data storage devices, said computer system configured to migrate computer data files from one of said data storage device as a source to a second data storage device as a target by:

requesting data from a source volume on the source data storage device in accordance with a map file having source and target volume parameters, as a bit image of a logical volume, cylinder by cylinder, track by track, and bit by bit, wherein the source volume is mapped to a target logical unit number (LUN) on a small computer system interface (SCSI) bus; ~~and~~
outputting the data to a target volume ~~having the target LUN on the SCSI bus~~ wherein all write commands go to the source volume and the target volume during outputting the data and writing the data on the target data storage device as a bit image of the logical volume, cylinder by cylinder, track by track, and bit by bit, wherein said computer data files are accessible to an end user from either data storage device[.];
placing a busy condition on the source volume after outputting data;
setting a SCSI ID to identify the target volume for access; and
repeating requesting data and outputting data on a logical volume by logical volume basis, whereby a user accesses data from the source volume and moves off of it at substantially the same time.

Differences between the present invention and the cited prior art.

The present invention requests data as a bit image "...cylinder by cylinder, track by track, and bit by bit..." Todd does not teach a cylinder by cylinder, track by track, and bit by bit request but instead discloses that migrating "...logical objects that are not limited to a single set of logically related data." Todd, col. 48, lines 7-9. Atkin (previously cited, 6,145,066) teaches reading all tracks, and reading a single track from a specified volume,

but does not teach reading cylinder by cylinder, track by track, and bit by bit. Atkin, col. 85, lines 4-7.